

INFORMATION DISCLOSURE STATEMENT

Applicant : Diab, et al.
App. No : 09/111604
Filed : July 7, 1998
For : SIGNAL PROCESSING APPARATUS
Examiner : Eric Frank Winakur
Art Unit : 3768
Conf No. : 6003

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May 10, 2011
(Date)

/Jarom Kesler/

Jarom D. Kesler, Reg. No. 57,046

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 1 reference, of which 1 is enclosed/submitted. The reference is being submitted pursuant to MPEP § 2001.06(c) in that U.S. Patent No. 6,157,850 is currently involved in litigation, namely, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-000090 (LPS/MPT)). The '850 patent may claim a priority benefit of applications and patents that are part of the present application's claim for priority under 35 U.S.C. § 120. To the best of the undersigned's understanding, the references submitted herewith represent documents or document portions that are non-confidential as defined by any protective order governing information exchanged between the parties to the Masimo litigation mentioned above.

This IDS is being submitted after payment of the issue fee. Applicant respectfully requests review of the references listed on the PTO/SB/08 Equivalent. However, in any event, please place these references in the file pursuant to 37 C.F.R. § 1.97(i). No fee is believed to be required.

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The commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 10, 2011

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